

Chapter 19-08
Emergency Rules and Regulations of the
Department of Development and Environmental Services

Adjusting Boundary Lines

Effective Date: May 4, 1999 -
August 2, 1999

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19-08-001 Purpose. A. It is the purpose of these rules to implement the provisions of K.C.C. 19.08 and to further identify requirements and limitations for adjusting boundary lines.

1. A boundary line adjustment (BLA) is exempt from Washington State and King County subdivision requirements and as such is appropriately applied only to effect minor changes to existing property lines or to consolidate existing lots.

2. A BLA shall not be applied to significantly rearrange building sites or original lot patterns.

3. A BLA shall not be applied where state or county regulations provide for the replat, alteration, or vacation of a short subdivision or subdivision.

19-08-002 Definitions

A. Building site. "Building site" means a site that conforms to King County regulations governing land use and development as provided for in K.C.C. 19.08.112, including: zoning and use provisions; dimensional standards; minimum lot area for construction; minimum lot width; shoreline master program provisions; sensitive area provisions; health and safety provisions; and title encumbrances.

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B. Department. "Department" means the Department of Development and Environmental Services of King County.

C. Land surveyor. "Land surveyor" means an individual licensed as a land surveyor pursuant to chapter 18.43 RCW.

D. Parent parcel. "Parent parcel" means each existing and officially-recognized separate lot or tract within the perimeter of a proposed BLA.

19-08-003 Requirements and Limitations for Adjusting

Boundary Lines. A. A BLA shall not result in the creation of any additional lots or building sites or the relocation of entire lots or building sites from one parent parcel into another parent parcel.

B. A BLA shall not be inconsistent with any conditions of approval for a previously platted or short-platted property.

C. Where a proposed BLA includes lots within two or more zoning classifications the BLA shall not increase density above either the existing density or base density, whichever is greater, in each affected zone.

D. A BLA shall not increase the nonconformance of any lot involved in the BLA, unless the BLA is for the sole purpose of correcting a physical encroachment.

E. All persons having an ownership interest in any lot involved in a proposed BLA shall sign the BLA application prior to submittal and the final BLA map prior to recording.

F. The final BLA recording map shall be prepared by a land surveyor and in accordance with the guidelines of Washington Administrative Code (WAC) chapter 332-130.

G. A current title insurance certificate for each lot involved in a proposed BLA shall be submitted to the Department with a BLA application. An updated certificate shall be submitted to the Department within 30 days of recording an approved BLA.

H. When adjusting lot boundaries in the R, RA, UR, NB, CO, O, and I zones, the following restriction shall be noted on the final BLA map prior to recording: "The allowable lot

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density within a future division of any lot contained within this BLA shall be calculated based on the number of lots approved within the perimeter area of this entire BLA, less the number of lots within the perimeter area of this BLA at the time of submittal of the new division application."

19-04-004 Severability. If a provision of the rules contained herein or its applicability to any person or circumstance is held invalid, the remainder of the provisions of these rules or the application of the provision to other persons or circumstances shall not be affected.

19-04-005 Declaration of Emergency. The Department finds that the immediate promulgation of this rule is necessary for the preservation of the public welfare, and that observance of the requirements for notice and opportunity to comment at this time is contrary to the public interest for the following reasons:

A. It has become apparent that ambiguities in K.C.C. Chapter 19.08 related to boundary line adjustments may be incorrectly construed in a way that would allow lots and building sites to be improperly moved or created. Immediate corrective action is necessary through an emergency rule in order to prevent BLA proposals from improperly moving or creating lots or building sites and thereby undermining the delicate and carefully planned growth policies of the King County Comprehensive Plan and the state Growth Management Act;

B. Clarification of K.C.C. Chapter 19.08 relating to boundary line adjustments is necessary in order to clearly specify the intended purpose and scope for BLAs in unincorporated King County. Immediate corrective action is likewise necessary to avert the improper movement and creation of lots and building sites and thereby preserve the integrity of the King County Comprehensive Plan and the state Growth Management Act policies.